

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Kimberlee Wilson individually**
1 Plaza South Box 113,
Tahlequah OK 74464

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

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United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Elsie Tarrance individually**
18662 Welling Road,
Welling OK 74471

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

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Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

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Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006

(By) S. McDaniel
DEPUTY CLERK

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Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Willie Tarrance individually**
18662 Welling Road,
Welling OK 74471

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
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 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

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V.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

V.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Tom Tate Service agent for
Illinois River Valley Nursery
6611 N. Star Ridge Road,
Proctor OK 74457**

THIRD PARTY SUMMONS IN A
CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

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PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
Re: Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Katherine Brown individually**
3800 W. 71st Street, Apt. #2307,
Tulsa OK 74132

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
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 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Kermit Brown individually**
3800 W. 71st Street, Apt. #2307,
Tulsa OK 74132

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

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 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

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THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.
 City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Dean Wilmoth**
c/o Donna McReynolds
398 Raines Rd.,
Siloam Springs AR 72761

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

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 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

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United States District Court

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TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Katherine L. Tye individually**
Rt. 2, Box 1300,
Watts OK 74964

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

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THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Erin Jones individually**
425 E. McKellips Rd Lt 45,
Mesa AZ 85203

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **James Thomas Jones individually**
425 E. McKellips Rd Lt 45,
Mesa AZ 85203

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
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Phil Lombardi
 Clerk

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.
 City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Isabel Baker Co-trustee of the
 Baker Family Trust
 113 S Harrison Ave.,
 Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.


George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk



(By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Tim Baker Co-trustee of the
 Baker Family Trust
 113 S Harrison Ave.,
 Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
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 For Cal-Maine Foods, Inc.

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 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

S. McDaniel
 (By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Dale E. Mathews Co-trustee of the
Dale E. Mathews Trust
806 Kaufman,
Tahlequah OK 74451**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
Clerk

Date

S. M. Daniel
(BY) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Ellen Mathews Co-trustee of the
Dale E. Mathews Trust
806 Kaufman,
Tahlequah OK 74451**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
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Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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Perrine, McGivern, Redemann, Reid,
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For Cal-Maine Foods, Inc.

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Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

(By) DEPUTY CLERK

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Carl Merseburgh individually**
10942 S. Darlington Ave.,
Tulsa OK 74137

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Seett McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

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 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
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 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
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 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

S. MacDarl
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE SAJ

To: **Gail B. Wilton individually**
10942 S. Darlington Ave.,
Tulsa OK 74137

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 The Three Sisters Building
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 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

Y.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A
CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.
City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Anthony Wayne Hare individually**
25881 E. Lane School Rd.,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with ~~the~~ clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

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Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date _____

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Brenda K. Spears individually**
7704 Highway 10,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
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Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

MAR 15 2006

Date

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Linda Mathis Canada individually**
PO Box 185,
Proctor OK 74457

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

(By) S. McDaniel
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Roger K. Mathis Canada individually**
PO Box 185,
Proctor OK 74457

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
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 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

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 Lawrence W. Zeringue
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 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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 Tulsa, OK 74119
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MAR 15 2006

Phil Lombardi

Clerk

Date

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Billie D. Howard individually**
Rt 2 Box 525,
Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

ISSUED

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By) S. McDard
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Richard M. Taylor individually**
2835 N. Shiloh #282,
Garland TX 75044

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutcek Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
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 P. O. Box 1710
 Tulsa, OK 74101-1710
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 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

S. McDaniel

(By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Ivan Marion individually**
Rt 2 Box 268A,
Lincoln AR 72744

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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For Cal-Maine Foods, Inc.

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For George's Inc.

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Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

MAR 15 2006

Date

S. J. McDaniel
(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Daniel L. Parker individually**
29042 S. Ranch Lane,
Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
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 100 West Center Street, Suite 200
 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAD

To: **Bartow Hix individually**
11709 N 569 Rd,
Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Krock Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

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 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint: *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

S. Madant
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.

PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Rickey Joe Hix individually**
12231 N. 569 Rd.,
Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
714 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.


an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Rita Hix individually**
12231 N. 569 Rd.,
Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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Berry & Taylor, PLLC
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Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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Tulsa, OK 74119
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Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
Clerk

Date


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jerry Wayne Hare d/b/a
Crystal Creek Ranch
25881 E. Lane School Rd.,
Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date



(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jerry Wayne Hare individually**
25881 E. Lane School Rd.,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

[Signature]

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Mary Jo Hare as Trustee of the
Mary Jo Hare Revocable Trust
25881 E. Lane School Road,
Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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The Three Sisters Building
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MAR 15 2006

Phil Lombardi

Clerk

Date

S. McDaniel
(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Anthony Wayne Hare d/b/a
Crystal Creek Ranch
25881 E. Lane School Rd.,
Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

MAR 15 2006

Date

(By) S. M. [Signature] DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Farrell Hamm individually**
RR 3 Box 1460,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE,SAJ

To: **Tony Hamm individually**
RR 3 Box 1460,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Darylene Hamm individually**
RR 3 Box 1490,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
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 Tulsa, OK 74101-1710
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 Tulsa, OK 74119
 For George's Inc.

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 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

S. Maden
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Tom Hamm individually**
RR 3 Box 1480,
Stilwell OK 74960

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
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 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jim R. Bagby individually**
RR 2 Box 1711,
Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Jerry Means individually**
RR3 Box 1879,
Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

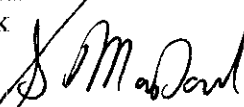
John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By)  DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Dorothy Ann Means Trustee of the
Dorothy Ann Means Trust
RR3 Box 1879,
Stilwell OK 74960**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
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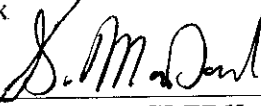
an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

(By)  DEPUTY CLERK